

LEVIsohn, BERGER & LANGSAM, LLP

805 THIRD AVENUE
19th Floor
NEW YORK, NEW YORK 10022

212-486-7272
FACSIMILE: 212-486-0323

B.negrin@LBL.com

FACSIMILE TRANSMISSION

TO: U.S. Patent and Trademark Office FAX NO: 703-872-9306

ATTN: Examiner Richard L. Leung Appl'n No. 10/731,264

RECEIVED
MAY 27 2005
OIP/E/JCWS

FROM: Barry E. Negrin
LEVIsohn, BERGER & LANGSAM, LLP

DATE: May 26, 2005 Inventor: Loibl, Gregory H.

PAGES INCLUDING THIS COVER SHEET: 3
CONFIRMATION BY MAIL TO FOLLOW - YES - NO

CERTIFICATE OF FAX TRANSMISSION: I hereby certify that the attached correspondence, comprising Notice of Appeal and Petition for Extension of Time for the above-referenced patent application, is being submitted and facsimile transmitted to the U.S. Patent and Trademark Office at Fax. No. 703-872-9306 on May 26, 2005. By: Barry E. Negrin, Reg. No. 37,407.

ben

PLEASE NOTE OUR FACSIMILE NUMBER (212) 486-0323, WHICH AUTOMATICALLY RECEIVES GROUP 1, 2 AND 3 TRANSMISSIONS. IF YOU HAVE NOT RECEIVED ALL OF THE PAGES, PLEASE CALL THE TELECOMMUNICATOR AT (212) 486-7272 IMMEDIATELY.

TELECOMMUNICATOR: BEN**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of LEVIsohn, BERGER & LANGSAM, LLP which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.
6011.005.200

In Re Application Of: **Gregory H. Loibl**

Application No. 10/731,264	Filing Date 12/09/2003	Examiner Leung, Richard L.	Customer No. 04617	Group Art Unit 3744	Confirmation No. 4708
-------------------------------	---------------------------	-------------------------------	-----------------------	------------------------	--------------------------

Invention: **Rapid Fluid Cooling and Heating Device and Method**

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of
01/26/2005 in the above-identified application:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 01/26/2005 finally rejecting Claim(s) 126.

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month Two months Three months Four months Five months

from: 04/26/2005 until: 05/26/2005

10731264

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$250.00

Fee for Extension of Time: \$60.00

05/27/2005 STEUMEL1 00000031 022105

250.00 DA
60.00 DA

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$310.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.
- Please charge Deposit Account No. 02-2105 in the amount of \$310.00
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105
 - Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-2105
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.
6011.005.200

In Re Application Of:

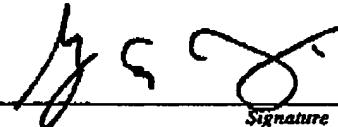
Gregory H. Leibl

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/731,264	12/09/2003	Leung, Richard L.	04617	3744	4708

Invention: **Rapid Fluid Cooling and Heating Device and Method**

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

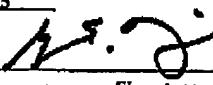
Dated: 05/26/2005

Barry E. Negrin, Reg. No. 37,407
Attorney for Applicant
Levisohn, Berger & Langsam, LLP
805 Third Avenue, 19th Floor
New York, NY 10022
212-486-7272, x304
212-486-0323 (fax)

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax no. 703-872-9306) on

05/26/2005
(Date)



Signature

Barry E. Negrin
Typed or Printed Name of Person Signing Certificate

*This certificate may only be used if paying by deposit account.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC: